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December 27, 2005

**VIA ECF**

Honorable Victor V. Pohorelsky  
United States District Court Magistrate  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: **Lerner v. Cohen & Slamowitz, 05 CV 455 (DGT) (VVP)**

Dear Judge Pohorelsky:

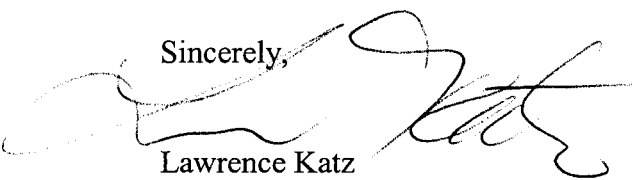
Plaintiff is writing in order to compel discovery. Plaintiff served its discovery demands and interrogatories by Fed Ex standard overnight on November 18, 2005. Defendant has not responded to any of those demands or interrogatories. The plaintiff spoke to the attorney for the defendant on December 23, 2005 in regard to its failure to respond. The defendant's counsel said he would immediately fax an explanation in regard to this failure and request an extension of time. To date we have not heard from the defendant nor have we received any responses. We would ask the Court to order that the defendant respond forthwith or face contempt.

The undersigned does certify that the plaintiff has contacted the attorney Leandre M. John, Esq. in an effort to resolve this matter.

Enclosed is a copy of the discovery served upon the defendant.

Thank you for your consideration in this matter.

Sincerely,

  
Lawrence Katz  
Enclosures as stated